IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 23RD NOVEMBER 2007 / 2ND AGRAHAYANA 1929

Crl.Rev.Pet.No. 4200 of 2007()

CRA.990/2004 of ADDL.SESSIONS COURT, (ADHOC-I), ERNAKULAM
CC.1633/2001 of JUDL.MAGISTRATE OF FIRST CLASS-II, KOCHI

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REVN. PETITIONER: REVISION PETITIONER/APPELLANT/ACCUSED:

STANLEY DANIEL, S/O. DANIEL,
KALARIKKAL HOUSE, KOCHUPALLY RAOD, THOPPUMPADY,
COCHIN-5.

BY ADV. SRI.THOMAS T.VARGHESE

RESPONDENTS: RESPONDENTS/COMPLAINANT AND STATE:

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1. P.A. JOHN, S/O. P.P. ALEXANDER,
PUNNAKKATTUSSERY HOUSE, CHULLIKKAL, KOCHI-5.

2. STATE OF KERALA,
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY ADV. SRI.VIVEK K.VIJAYAN
SRI. C.M. NAZAR, PUBLIC PROSECUTOR

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 23/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Crl.R.P. No. 4200 of 2007

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Dated this the 23rd day of November, 2007

ORDER

The accused in C.C. No.1633 of 2001 on the file of the Judicial First Class Magistrate-II, Kochi for an offence punishable under Section 138 of the Negotiable Instruments Act, 1881, challenges the conviction entered and the sentence passed against him concurrently by the courts below.

2. Pending this revision, the parties have settled the matter. Crl.M.A.No. 12386 of 2007 has been filed under Section 147 of the Negotiable Instruments Act, 1881 seeking permission to record the composition entered into between the revision petitioner and the complainant. The said petition has been signed by both the revision petitioner as well as the complainant and their respective counsels. In the light of this development, the aforementioned composition is recorded and it will have the effect of an acquittal of the revision petitioner within the meaning of Sec. 320 (8) Cr.P.C. The petitioner shall be released from custody forthwith unless his continued detention is found necessary in connection with any other case against him.

This Crl. R.P. is disposed of as above.

V. RAMKUMAR,JUDGE

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